

Serial No. 47487

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office DEC 7 1983

Returned to applicant for correction

Corrected application filed Map filed DEC 7 1983 under 47486

The applicant Walter J. and Brenda S. Gardner

Ruby Valley of Wells

Street and No. or P.O. Box No.

City or Town

Nevada 89835

State and Zip Code No.

hereby make application for permission to change the

Place of Use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Application 44342

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is Underground
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 5.4 cfs
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, T 31 N, R 59 E,
Describe as being within a 40-acre subdivision of public survey and by course and
MDB & M., at a point from which the SW corner of said Section 13 bears S 2°
distance to a section corner. If on unsurveyed land, it should be stated.
15' 16" W 1270.98 feet.
6. The existing permitted point of diversion is located within Same as Above
If point of diversion is not changed, do not answer.
7. Proposed place of use S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$, S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 14, W $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
Section 13, T 31 N, R 59 E, MDB & M.
8. Existing place of use W $\frac{1}{2}$ W $\frac{1}{2}$ Section 13; E $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 14, T 31 N, R 59 E,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
MDB & M.
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Well, Ditches, Pipelines and Sprinkler
State manner in which water is to be diverted, i.e. diversion structure, ditches,
System.
pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$50,000
13. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use..... 5 years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This application is for a Desert Land Entry on lands joining the applicants
deeded lands. This application is to co-mingle the waters of the accompanying
application to Change the Place of Use and Point of Diversion of application
44341.

By s/Alan S. Boyack
Alan S. Boyack, Agent
515 South Fifth Street, Elko, Nevada 89801

Compared bc/bl gcr/bl

Protested.....

.....APPROVAL..... OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of an underground source as heretofore granted under Permit 44342 is issued subject to the terms and conditions imposed in said Permit 44342 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

The issuance of this Permit completely abrogates Permit 44342.

The combined diversion of this Permit and Permit 47486 is limited to 6.5 cubic feet per second. The total land to be irrigated under this Permit and Permit 47486 shall not exceed 380.0 acres.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 5.4..... cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources and not to exceed 1280.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... September 13, 1986

Proof of completion of work shall be filed before..... October 13, 1986

Application of water to beneficial use shall be made on or before..... September 13, 1990

Proof of the application of water to beneficial use shall be filed on or before..... October 13, 1990

Map in support of proof of beneficial use shall be filed on or before..... October 13, 1990

Completion of work filed..... IN TESTIMONY WHEREOF, I..... PETER G. MORROS....., State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed..... my office, this 13th..... day of September.....,

Cultural map filed..... A.D. 1984.....

Certificate No..... Issued.....

A.D. 1984.....

Peter G. Morros
State Engineer

2407 (Rev. 6-81) NOV 9 1989
WITHDRAWN BY CLERK
Peter G. Morros
STATE ENGINEER